



Massachusetts Department of Environmental Protection
Bureau of Resource Protection – Drinking Water Program

**BRP WS 13 Approval to Site and Conduct a Pumping Test for
a Source less than 70 Gallons per Minute**

Instructions and Supporting Materials

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Introduction

Massachusetts Department of Environmental Protection (MassDEP) *Permit Applications*, as well as *Instructions & Support Materials*, are available for download from the MassDEP Web site at www.mass.gov/dep in two file formats: Microsoft Word™ and Adobe Acrobat PDF™. Either format allows documents to be printed.

Instructions & Support Materials files in Microsoft Word™ format contain a series of documents that provide guidance on how to prepare a permit application. Although we recommend that you print out the entire package, you may choose to print specific documents by selecting the appropriate page numbers for printing.

Permit Applications in Microsoft Word™ format must be downloaded separately. Users with Microsoft Word™ 97 or later may complete these forms electronically.

Permitting packages in Adobe Acrobat PDF™ format combine *Permit Applications* and *Instructions & Support Materials* in a single document. Adobe Acrobat PDF™ files may only be viewed and printed without alteration. *Permit Applications* in this format may not be completed electronically.



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Permit Fact Sheet

1. What is the purpose of this approval?

This is an approval relative to evaluating the water resource potential of a particular site. The necessary components of a site approval request, the subsequent site exam and pumping test proposal are described in the *Guidelines and Policies for Public Water Systems (available in the State House Bookstore)*. The Drinking Water Regulations govern all aspects of the source development process.

The reason sites are evaluated and approved or disapproved at this point is to identify any circumstances which might negate the possibility of using the site. This assists the applicant in avoiding the potentially unnecessary expenses associated with the next costly step, which is the pumping test. For example: the inability to own the Zone I; extremely poor water quality, historical spills or leaks of hazardous materials; and, extensive development of the preliminary conceptual Zone II (if applicable), are all issues that could influence the approval of the site for development as a drinking water source.

Approval of a pumping test proposal is granted after MassDEP has determined that the hydrologic and water quality information, necessary to approve the source, will be generated before, during and after the pumping test.

2. Who must apply?

Any individual, company, municipality or district intending to develop a public source of water supply serving 15 service connections or 25 individuals at least 60 days per year.

3. What other requirements should be considered when applying for this approval?

- A Request for Determination of Applicability (Form No. 1-310 CMR 10.99) as required under the Wetland Protection Act MGL c. 131 s. 40 and the regulations at 310 CMR 10.00 must be filed with the local conservation commission if work is proposed within 100 feet of a wetland.
- The site examination and sanitary land use survey precede the review and approval to conduct a pumping test.
- Before applying for this approval consideration should be given to the ability to own the Zone I; and
- How surrounding development and history may influence water quality and how the site lends itself to development; and.

Note: Approvals of this type may require MEPA review. Please carefully examine 301 CMR 11.00, the MEPA Regulations, to determine if your project exceeds the MEPA review thresholds, or for more information contact the MEPA Unit of the Executive Office of Environmental Affairs (100 Cambridge Street, Boston, MA 02202; (617-727-5830). ***MassDEP cannot begin technical review of the permit application until the MEPA process has been completed, unless otherwise agreed to in writing.*** Copies of MEPA filings (with reference to any applicable Transmittal numbers) should be sent to the appropriate program offices in Boston and the MEPA Coordinator in the appropriate Regional Office. Find your region:
<https://www.mass.gov/service-details/massdep-regional-offices-by-community>

Note: These additional requirements are intended to serve as a guide to the applicant. It does not necessarily include **all** additional requirements.



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4. What is the application fee?

The application fee is \$1,380.

5. Where should this application be submitted?

Submit: a) completed **original copy** of the **MassDEP Transmittal Form for Permit Application (Do not include payment)**; b) the completed **BRP WS Application** form; and, c) one hard copy of the required supporting documentation, and (only when specifically requested) one electronic copy of the required supporting documentation in PDF format and submitted on a compact disk or other acceptable media to:

Find your region: <https://www.mass.gov/service-details/massdep-regional-offices-by-community> to find the mailing address for the regional office for your town. At the bottom of the address label please type: Attn: Drinking Water Program.

6. Where should I send the fee payment for this application?

Submit the applicable fee payment and a **copy** of the **MassDEP Transmittal Form for Permit Application and Payment** to:

**MassDEP
P.O. Box 4062
Boston, MA 02211**

7. Where can I get a copy of the timelines?

The timelines are available on the MassDEP Website: <https://www.mass.gov/lists/massdep-fees-timelines>

8. What is the annual compliance fee?

There is no annual compliance assurance fee for this approval.

9. How long is the approval in effect?

Applicants have five years to complete the Source Approval process.

10. How can I avoid the most common mistakes made in applying for this approval?

- a. Be sure all checklist items are complete.
- b. Review the Drinking Water Regulations 310 CMR 22.21 and the *Guidelines and Policies for Public Water Systems* regarding what is evaluated when considering approval of a site. Communicate with the Drinking Water Program concerning materials necessary for an approvable submission.
- c. Make sure that the BRP WS Application submittal package, including the Application Completeness Checklist, and the original copy of the MassDEP Transmittal Form is submitted to the appropriate Regional office of MassDEP. Find your region: <https://www.mass.gov/service-details/massdep-regional-offices-by-community>
- d. Submit fee and one copy of the Transmittal Form to MassDEP, PO Box 4062, Boston, MA 02211.



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11. What are the regulations that apply to this approval? Where can I get copies?

These regulations include, but are not limited to:

- a. Drinking Water Regulations, 310 CMR 22.21.
- b. The Timely Action and Fee Provisions, 310 CMR 4.00.
- c. The Administrative Penalty Regulations, 310 CMR 5.00.

They may be purchased at:

State House Bookstore
Room 116
Boston, MA 02133
617-727-2834

State House West Bookstore
21 Elm Street
Springfield, MA 01103
413-784-1376



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Application Completeness Checklist

- The Transmittal Form is completed:
<https://www.mass.gov/service-details/transmittal-form-number-for-massdep-permit-application-payment>
- BRP WS Application form has been completed.
- Massachusetts Registered Professional Engineers or individuals meeting the qualifications of Section 1.0 of the *Guidelines and Policies for Public Water Systems* has prepared the proposal, signed and stamped it.
- Location and log of all exploratory wells (depth, yield, lithology) has been submitted with application.
- Results of chemical and VOA water analyses is included.
- A characterization of land uses around the well including:
 - 1. A map depicting:
 - (a). the proposed Interim Wellhead Protection Area (IWPA)
 - (b). current land uses and zoning within the IWPA;
 - (c). approved water withdrawals, registered or permitted by the Drinking Water Program
 - 2. A discussion/evaluation of the potential impacts posed by existing and potential sources of contamination to the new water supply.
- A surveyed site plan showing the Zone I. The plan must show the location of all production wells, observation wells, staff gauges, piezometers, etc. within the Zone I. This plan must show all property lines and identify ownership of all property within the Zone I.
- For test wells installed at potential production well sites, the following must be provided:
 - 1. water quality analysis results;
 - 2. estimate of well yield; and
 - 3. well log and as-built construction diagram.
- The following items must be also included as part of the application package:
 - 1. planned pumping rate;
 - 2. planned duration of test;
 - 3. location of discharge point;
 - 4. plan showing location of observation wells, if applicable;
 - 5. frequency of reading observation wells, if applicable;
 - 6. types of samples to be collected and the name of the state certified laboratory to be employed for all water quality testing required by the Source Approval process;
 - 7. frequency and locations of sampling for water quality;
 - 8. required permits, registrations or notices such as: state (e.g., Water Management, Wetlands) or local (e.g., Conservation Commission); and
 - 9. discussion of methodology for delineating Zone II or Zone III if applicable;



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Application Completeness Checklist

- == Send the completed application form, one copy of the required supporting documentation, and the **original copy** of the MassDEP Transmittal form to:

Department of Environmental Protection

_____ * Regional Office

Water Supply

*Find your region: <https://www.mass.gov/service-details/massdep-regional-offices-by-community>

- == Send fee of \$1,380 in the form of check or money order made payable to *Commonwealth of Massachusetts*, along with one copy from the MassDEP Transmittal Form to:

Department of Environmental Protection

P.O. Box 4062

Boston, MA 02211